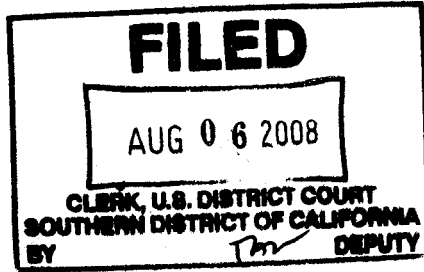


CUASA KHE



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

Miguel CUAMEA-Navarro

Defendant.

Magistrate Case No.: **08MJ8687**

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

AMENDED

The undersigned complainant being duly sworn states:

COUNT I

That on or about August 2, 2008, within the Southern District of California, defendant Miguel CUAMEA-Navarro did knowingly and intentionally import approximately 49.46 kilograms (108.81 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, sections 952 and 960.

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COUNT II

That on or about August 2, 2008, within the Southern District of California, defendant Miguel CUAMEA-Navarro did knowingly and intentionally import approximately 53.40 grams of methamphetamine a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Timothy Ballard
Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 6TH
DAY OF AUGUST 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Miguel CUAMEA-Navarro

4 STATEMENT OF FACTS

5 The Complaint and Statement of Facts is being amended to
6 include 53.40 grams of methamphetamine found on August 3, 2008.

7 This Statement of Facts is based on the reports, documents,
8 and notes furnished to US Immigration and Customs Enforcement
9 (ICE) Special Agent (SA) Timothy Ballard.

10 On August 2, 2008 at approximately 1815 hours, Miguel
11 CUAMEA-Navarro entered the United States at the Calexico,
12 California, West Port of Entry. CUAMEA was the driver of a 1999
13 Jeep Grand Cherokee, bearing Baja California license plate
14 BDB4336. The Customs and Border Protection (CBP) Officer
15 inspected the vehicle on primary. CBP Officer Felix noticed that
16 the vehicle's tires had been scratched and gouged in a way that
17 seemed unusual to him. CBP Officer Felix referred CUAMEA to
18 vehicle secondary for an intensive inspection.

19 In the vehicle secondary lot, a Canine inspection of the
20 vehicle was performed. The canine alerted and responded to the
21 right rear tire of the vehicle.

22 A subsequent inspection of the vehicle revealed 24 packages
23 concealed inside the tires of the vehicle. One of the packages
24 was probed, revealing a green, leafy substance, which
25 subsequently field-tested positive for marijuana. The 24 packages
26 had a combined net weight of approximately 49.46 kilograms
27 (108.81 pounds).

28 CUAMEA was placed under arrest and advised of his
29 Constitutional Rights, which he acknowledged and waived. CUAMEA

1 stated that he was not the owner of the vehicle, but that he had
2 borrowed it from a man, known only to him as "Genaro," on Sunday,
3 July 27, 2008 in order to test it, as CUAMEA was considering
4 purchasing the vehicle. CUAMEA stated that if he decided to
5 purchase the vehicle, he would have to return to "Genaro" and pay
6 him approximately \$1,500 US. CUAMEA said that "Genaro," who he
7 had only just met on July 27, 2008, did not know CUAMEA's address
8 or phone number, but that "Genaro" had parted with the vehicle
9 anyway. CUAMEA stated that he had been in sole custody of the
10 vehicle since he received it from "Genaro" on July 27, 2008. SA
11 Ballard asked CUAMEA if his wife, Maria Yolanda Flores, had been
12 in contact with the Jeep Cherokee during the past week in which
13 CUAMEA had been in custody of it. CUAMEA said that she had. On
14 August 2, 2008, SA Ballard spoke with Maria Yolanda Flores after
15 she arrived at the Calexico West Port of Entry. SA Ballard showed
16 Mrs. Flores the Jeep Cherokee. She said she had never seen that
17 vehicle before in her life.

18 CUAMEA was booked into the Imperial County Jail pending his
19 initial appearance before a U.S. Magistrate Judge.

20 On August 3, 2008, Customs & Border Protection Officer M.
21 Hernandez discovered one (1) package concealed in the center
22 console of the 1999 Jeep Grand Cherokee. The package contained a
23 white crystalline substance which field tested positive for
24 methamphetamine. The package contained 53.40 grams of
25 methamphetamine.
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